

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 03-80881

KELVIN DEROY RILEY,

Defendant.

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**ORDER DIRECTING DEFENSE COUNSEL TO FILE A STATEMENT  
REGARDING ELIGIBILITY**

The matter is before the court on a determination for a possible reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2). The court appointed the Federal Defender's Office "to determine eligibility, confer with the Probation Department and the U.S. Attorney's Office, and gather the pertinent information to assist the court in expeditiously resolving any pending or intended 18 U.S.C. § 3582(c) motions." (1/26/09 Order at 1.) To date, nothing has been submitted to the court by defense counsel. Accordingly,

IT IS ORDERED that defense counsel is DIRECTED to file **by July 15, 2009**, a statement indicating whether Defendant is eligible for a sentence modification pursuant to 18 U.S.C. § 3582(c).

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s/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: June 22, 2009

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, June 22, 2009, by electronic and/or ordinary mail.

s/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522